

**BOARD OF EXAMINATION AND REGISTRATION OF ARCHITECTS  
MINUTES OF MEETING OF THE BOARD**

**DATE: December 19, 2007**

**PLACE: Department of Administration  
One Capitol Hill, Conference Room B  
Providence, RI 02908**

**MEMBERS PRESENT: Wilbur E. Yoder, James R. Carlson, Joseph A. Cirillo and Barbara Feibelman**

**MEMBERS ABSENT: Dana M. Newbrook**

**OTHERS PRESENT: Peter N. Dennehy, Deputy Chief Legal Counsel,  
Dept. of Admin.  
Adam J. Sholes, Special Assistant Attorney General  
Dawne Broadfield, Board Executive**

**CALLED TO ORDER: Vice-Chair Yoder called the meeting to order at  
3:42 pm. to commence Board business.  
Attorney Dennehy left at 4:58 p.m.**

**MINUTES OF THE MEETING OF THE BOARD**

**(1) Ms. Feibelman moved to approve the open meeting minutes of  
November 21, 2007 as published. Mr. Cirillo seconded. Motion**

**approved.**

**(2) Ms. Feibelman moved to approve and seal the executive session meeting minutes of the November 21, 2007 as published. Mr. Cirillo seconded. Motion approved.**

**(3) Secretary Carlson moved to ask Chair Newbrook to report on the Chairs' meeting held on November 7, 2007. Ms. Feibelman seconded. Motion approved.**

## **EXECUTIVE SESSION**

**(1) Secretary Carlson moved to convene into executive session at 4:18 p.m. pursuant to RI General Laws, §42-46-5 (a)(2) for sessions or work sessions pertaining to collective bargaining or litigation and §42-46-5 (a)(4) for investigative proceedings regarding allegations of civil or criminal misconduct. Mr. Cirillo seconded. Motion approved.**

**(2) Secretary Carlson moved to adjourn from executive session and to reconvene to an open meeting at 4:39 p.m. pursuant to R.I.G.L. §42-46-4. Mr. Cirillo seconded. Motion approved.**

**(3) Secretary Carlson moved to seal the executive session and record the votes taken in executive session pursuant to RI General Laws §42-46-4 and §42-46-5. Mr. Cirillo seconded. Motion approved to**

close Innovative Design Concepts, File #2007-5.7 (May 2006 Verizon Yellow Pages); Packert Design, File #2007-5.9 (2007-08 Yellow Book, 2006-07 Yellow Book) and Richard H. Kuehl Architects, Ltd. File #2007-5.20 (May 2006 and May 2007 Verizon Yellow Pages).

(4) Secretary Carlson moved pursuant to RI General Law §42-46-4 that the Board defer disclosure of all votes in executive session until such time as such disclosure would not jeopardize any strategy, negotiation, or investigation undertaken concerning RI General Law §42-46-5(a). Mr. Cirillo seconded. Motion approved.

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## **OLD BUSINESS**

(1) Update on the “Rules of the Board” and “By-Laws”

Repeal of the By-Laws

Public Hearing: 4:00 p.m.

Vice-Chair Yoder opened the public hearing at 4:06 p.m. Vice-Chair Yoder indicated that legal notice of this hearing was published in the Providence Journal on Thursday, October 18, 2007 to repeal previously filed By-Laws of the Board of Examination and

**Registration of Architects. These By-Laws last refiled on January 2, 2007 (ERLID 2826) have been superseded by the amended Rules and Regulations for the Board of Examination and Registration of Architects which were filed on June 8, 2007 (ERLID 4672). Those present at this hearing were: Wilbur E. Yoder, Vice-Chair; James R. Carlson, Secretary; Joseph A. Cirillo, Member; Barbara Feibelman, Member; Adam J. Sholes, Attorney General's Office; Peter N. Dennehy, Deputy Chief Legal Counsel, Department of Administration; and Dawne Broadfield, Board Executive.**

**Vice-Chair Yoder then indicated that in response to the legal notice that was published on October 18, 2007; the Board had not received any comments. Vice-Chair Yoder then asked if there were any written statements for submission at this public hearing and there were none.**

**Secretary Carlson moved to close the public hearing at 4:09 p.m. since there were no members of the public present and the Board received no testimony or correspondence relating to the Repeal of the By-Laws. Mr. Cirillo seconded. Motion approved.**

**Attorney Dennehy stated that the next step is to file the repealed By-Laws at the Secretary of State's office. Attorney Dennehy stated that he will work with Mrs. Broadfield to accomplish this before the end of the year.**

## **(2) 2007 – H – 5300 Sub A – Article 3 - Reorganization**

**All four Boards received a letter from A. Michael Marques, Director of the Department of Business Regulation (DBR), scheduling a reorganization meeting on January 23, 2008 to discuss the set-up of the new combined Board effective January 1, 2008 and to give his interpretation and plan going forward.**

**Attorney Sholes told the Board that as of January 1, 2008 he will no longer be representing the Boards.**

**The DBR Director is asking that two Board members be appointed to have the right to vote at the January 23, 2008 reorganization meeting. In the absence of an appointment, the Director has indicated that the Chair and Vice-Chair would be the voting members.**

**After lengthy discussion, all five members will be attending the reorganization meeting on January 23, 2008 with the DBR Director. No vote was taken on the appointment of the two voting members. Voting members will be decided by the Board at the combined meeting.**

**(3) Sanderson Association Medical Facility in Smithfield, RI – Review of David W. Fish agreement.**

**Secretary Carlson is the investigator.**

**Per the settlement agreement, Mr. Fish provided a list of buildings with their owners to the Board. The Board then sent letters to those owners and building officials indicating that their project was done by a person other than a registered architect.**

**According to the signed settlement agreement, a six-month reporting of projects is required for a two-year period. Therefore, Ms. Feibelman moved to leave this item on the agenda and continue. Secretary Carlson seconded. Motion approved.**

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**(4) Amendments to the “Rhode Island General Laws – Chapter 5-1”**

**Per the last meeting, Attorney Dennehy indicated that he was asked to prepare a bill that would amend various sections of the Architects Chapter. The draft bill has been prepared.**

**Secretary Carlson moved to continue. Ms. Feibelman seconded. Discussion occurred. Secretary Carlson stated that Mrs. Broadfield should continue to pursue the National Council of Architectural Registration Boards (NCARB) specifically requesting legislative guidelines regarding the architectural registration examination**

(ARE)/intern development program (IDP) timing due to the fact that NCARB's review of the Rhode Island General Laws indicated that no changes are needed. It was the Board's opinion from the last meeting that Rhode Island law does say that a person has to finish IDP before that person can take the ARE. A copy of this email correspondence will also be sent to Robert Meyer, Director, Region I. The Board wishes to change its law to allow the early taking of the ARE but would like NCARB Model Law language to do so. After January 1, 2008 any legislative changes will be introduced through the Director of (DBR) or by Board members. In Section 16, the Board added a new section to allow registered architects holding NCARB certification to practice architecture in the state without being registered in the event of a state disaster. Secretary Carlson questioned how the Board would end their ability to practice architecture since their practice should not be forever. When a registered architect starts a project, the Board would need to allow that project to be built. Discussion suggested until final completion or until certificate of occupancy is issued. The Board suggested that Mrs. Broadfield contact Robert Luke from the Mississippi Board and ask if he has any suggestions of the legislative wording to allow how to let out-of-state registered architects practice architecture by helping a state and how to get the architect to cease practice if not registered in Rhode Island when the project is completed. Mrs. Broadfield also pointed out to the Board that under Section 5-1-15.1(a)(3), the Board suggested the change from "charge" to "control" in accordance with NCARB. Mrs. Broadfield reviewed NCARB legislative guidelines and noted that

**“charge” is stated, but in the model law, NCARB references “responsible control”. Mrs. Broadfield will contact NCARB about the correct wording. Motion approved.**

#### **(5) Yellow Pages – Discussion of Listings with the Attorney General’s Office**

**Attorney Sholes represented that a letter had been sent to the Yellow Pages along with a list of architects that are not registered and a list of the architect’s certificate of authorization (COA) that had lapsed. Attorney Sholes was confident that the Yellow Pages will be working with the Attorney General’s Office and does not know the status of the Yellow Book. The Board will see the results in the next edition of those publications.**

**Secretary Carlson moved to close. Ms. Feibelman seconded. Motion approved.**

#### **(6) Christopher Bardt – Question on Continuing Education Credit**

**Ms. Feibelman stated that there was an issue with the way that Mr. Bardt’s documentation was submitted. The documentation appeared as if Mr. Bardt had whited out information on his American Institute of Architects (AIA) transcript. The Board accepted it but mentioned the observation in their response to Mr. Bardt and also mentioned that it had no effect on the Board’s determination. Mr. Bardt, indicated that**



he did not white out, he yellowed it. Ms. Feibelman stated that it was faxed to her and Mrs. Broadfield indicated that it was emailed to her. Ms. Feibelman stated that yellowing does not work. Mr. Bardt asked the Board to discuss this so that any sense of whitening out or trying to confuse the Board was an error of black and white verses yellow. This was a point of information to the Board as requested by Mr. Bardt.

Ms. Feibelman moved close with no further communication. Mr. Cirillo seconded. Motion approved.

#### **BLUE BOOKS (RECIPROCITY)**

(A) Secretary Carlson moved to approve the following Blue Books as submitted with an expiration date of December 31, 2009. Mr. Cirillo seconded. Motion approved.

(1) FLOYD, Chad (3) KUCERA, John

(2) HOWARD, James W. P. (4) OVERTON, III, Marvin W.

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#### **CERTIFICATES OF AUTHORIZATION APPLICATIONS (See Attached List)**

(A) Ms. Feibelman moved to approve the applications for Certificates of Authorization for the Sole Proprietorships for David E. Johnson,

**Architect; Gaylen Howard Laing, Architect; Dwayne A. Mann; Shade Lawrence O'Quinn; and Val Prevedini, AIA as submitted. Secretary Carlson seconded. Motion approved.**

**(B) Ms. Feibelman moved to approve the application for Certificate of Authorization for the Limited Liability Company (LLC) for Robert A. Cardello Architects, LLC pending receipt of \$100 fee due as submitted. Secretary Carlson seconded. Motion approved.**

**(C) Ms. Feibelman moved to approve the applications for Certificates of Authorization for the Limited Liability Companies (LLC) for Outerbridge Horsey Associates, PLLC and Studio Rios, LLC as submitted. Secretary Carlson seconded. Motion approved.**

**(D) Ms. Feibelman moved to approve the Amended Change in Responsible Control adding George T. Tremblay for the application for Certificate of Authorization for the Corporation for Arrowstreet, Inc., #A-14,020 as submitted. Secretary Carlson seconded. Motion approved.**

**(E) Ms. Feibelman moved to approve the applications for Certificates of Authorization for the Corporations for Beery Rio, Inc.; Carpenter Sellers Associates, Falcon Associates Architects Inc.; Flad & Associates, Inc.; Peterman Architectural Services, Inc.; Solomon Cordwell Buenz & Associates, Inc.; and Toll Architecture I, P.A. as submitted. Secretary Carlson seconded. Motion approved.**

**(F) Ms. Feibelman moved to approve the Withdrawal of the application for Certificate of Authorization for the Corporation for Gaylen H. Laing Architect, Inc. as submitted. Secretary Carlson seconded. Motion approved.**

## **NEW BUSINESS**

**(1) Jeffrey A. Bossert, #3220, indicated on his renewal application that he was subject of a formal or informal hearing or inquiry, complaint, or disciplinary action in another state since the last renewal. Board will review.**

**On the basis that the disciplinary action was a lapsed payment of registration and not a professional issue, Secretary Carlson moved approval. Mr. Cirillo seconded. Motion approved.**

**(2) Arthur Keng Fai Choo, #2017, indicated on his renewal application that he was subject of a formal or informal hearing or inquiry, complaint, or disciplinary action in another state since the last renewal. Board will review.**

**On the basis that Massachusetts did not seek any punitive damages for whatever the offense was, Secretary Carlson moved approval. Mr. Cirillo seconded. Motion approved.**

**(3) Kevin Lee Cooper, #2701, indicated on his renewal application that he was subject of a formal or informal hearing or inquiry, complaint, or disciplinary action in another state since the last renewal. Board will review.**

**On the basis of a certificate of authorization (COA) problem, Ms. Feibelman moved approval. Secretary Carlson seconded. Motion approved.**

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**(4) William Karst #2309, indicated on his renewal application that he was subject of a formal or informal hearing or inquiry, complaint, or disciplinary action in another state since the last renewal. Board will review and did not complete the required continuing education.**

**Secretary Carlson moved to accept the disciplinary action and that the Board send Mr. Karst its continuing education letter granting a ninety-day extension to complete the required continuing education and submit the continuing education to the Board by March 30, 2008. Ms. Feibelman seconded. Motion approved.**

**(5) Nicholas J. Tricarico, #1077, indicated on his renewal application that he was subject of a formal or informal hearing or inquiry, complaint, or disciplinary action in another state since the last renewal. Board will review.**

**Ms. Feibelman moved approval. Secretary Carlson seconded. Motion approved.**

**(6) James T. Fitzgerald, #1521, indicated not renewing on his renewal application and is requesting “Emeritus Status” which is a Title issued to Retired Architects who are prohibited from practicing architecture.**

**Secretary Carlson moved approval of emeritus status. Mr. Cirillo seconded. Motion approved.**

**(7) James O. Jonassen, #2001, indicated not renewing on his renewal application and is requesting “Emeritus Status” which is a Title issued to Retired Architects who are prohibited from practicing architecture.**

**Secretary Carlson moved approval of emeritus status. Mr. Cirillo seconded. Motion approved.**

**(8) Herbert M. Noyes, Jr., #886, indicated not renewing on his renewal**

**application and is requesting “Emeritus Status” which is a Title issued to Retired Architects who are prohibited from practicing architecture.**

**Secretary Carlson moved approval of emeritus status. Mr. Cirillo seconded. Motion approved.**

**(9) Wilson Pollock, #938, indicated not renewing on his renewal application and is requesting “Emeritus Status” which is a Title issued to Retired Architects who are prohibited from practicing architecture.**

**Secretary Carlson moved approval of emeritus status. Mr. Cirillo seconded. Motion approved.**

**(10) Dennis R. Wyckoff, #1962, indicated not renewing on his renewal application and is requesting “Emeritus Status” which is a Title issued to Retired Architects who are prohibited from practicing architecture.**

**Secretary Carlson moved approval of emeritus status. Mr. Cirillo seconded. Motion approved.**

**(11) Gary D. Cannella, #2898, Review of Continuing Education Audit.**

**Secretary Carlson moved to approve renewal of registration. Mr.**

**Cirillo seconded. Motion approved.**

**(12) Nancy J. Cocroft, #1187, Review of Continuing Education Audit.**

**Secretary Carlson moved to approve renewal of registration. Mr. Cirillo seconded. Motion approved.**

**(13) Joseph D. Lagrasse, #1180, Review of Continuing Education Audit.**

**Secretary Carlson moved to approve renewal of registration. Mr. Cirillo seconded. Motion approved.**

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**(14) Anthony A. Marnell, II, #2656, Review of Continuing Education Audit.**

**Secretary Carlson moved to approve renewal of registration. Mr. Cirillo seconded. Motion approved.**

**(15) Michael W. McKinley, #1530, Review of Continuing Education Audit.**

**Secretary Carlson moved to approve renewal of registration. Mr.**

**Cirillo seconded. Motion approved.**

**(16) Robert H. Morin, #1653, Review of Continuing Education Audit.  
Secretary Carlson moved to approve renewal of registration. Mr.  
Cirillo seconded. Motion approved.**

**(17) Andrejs R. Strikis, #1777, Review of Continuing Education Audit.**

**Secretary Carlson moved to approve renewal of registration. Mr.  
Cirillo seconded. Motion approved.**

**(18) John Cruet, Jr., #1258, Complaint on Renewal Application  
Process.**

**Secretary Carlson moved that Mr. Cruet's complaint has no merit and  
to close the issue. Mr. Cirillo seconded. Motion approved.**

**(19) Julia Ann Gerald, #3490, Discussion and Determination about the  
term "derogatory" on the National Council of Architectural  
Registration Boards (NCARB) Certification of Registration and/or  
Examination History Form.**

**Secretary Carlson moved that the National Council of Architectural  
Registration Boards (NCARB) does not require notification in terms of  
Ms. Gerald's registration submittal. Ms. Feibelman seconded. Motion  
approved.**



**(20) Certificate of Authorization (COA) Number of Individual Registration Application.**

**Ms. Feibelman stated that this item was placed on the agenda since the Board, for the first time, registered an individual and issued a certificate of authorization for that individual at the same time. Ms. Feibelman wanted to discuss the process of how to get the individual registration number since this is a new procedure. Due to the combining of the Board, the Board took no action on this item.**

**(21) Regulatory Agenda due January 15, 2008**

**The Regulatory Agenda is required to be reported to the Rhode Island Secretary of State twice a year, in January and June. The Regulatory Agenda indicates what action the Board has taken on its Rules. Mrs. Broadfield will prepare this regulatory agenda with Attorney Dennehy.**

**(22) Agenda Items**

**Ms. Feibelman moved to amend the agenda to discuss two items and to take action. Those items are items 23 and 24 under new business. Discussion occurred. Attorney Sholes stated that because there is an unexpected occurrence that requires immediate action, there can be a vote. The unexpected occurrence is that on January 1, 2008, there is**

uncertainty as to whether or not this Board exists. So because of that, Attorney Sholes advised the Board that the Board can vote even though it is not on the agenda for today. Secretary Carlson seconded. Motion approved.

**(23) Kevin H. Cleary, #3404, Requesting 90-day Extension to Complete the Continuing Education Requirement.**

Based on review of Mr. Cleary's renewal application and extension request to complete the required continuing education, Secretary Carlson moved to grant Mr. Cleary the ninety-day extension extending the deadline to March 30, 2008. Mr. Cirillo seconded. Motion approved.

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**(24) David Altman, #3446, Requesting 90-day Extension to Complete the Continuing Education Requirement.**

The Board received an email from Mr. Altman asking for the process and timing for the ninety day extension in order to complete the required continuing education for 2006 and 2007. The Board did not have a renewal application and fee to act on.

Mrs. Broadfield will respond via email to notify Mr. Altman to submit his renewal application and fee and the Board will act on it at their next meeting.

## **ADJOURNMENT**

**Secretary Carlson moved to adjourn the meeting at 5:45 p.m. Mr. Cirillo seconded. Motion approved. The next meeting will be held on January 23, 2008 as directed by DBR Director Marques. The meeting will be a reorganization meeting of the combined Board as required by the new law**

**Respectfully submitted,**

**James R. Carlson, NCARB, AIA**  
**Secretary**

**JRC/dmb**

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**C. O. A. APPLICATIONS**

**Board Meeting of 19 DECEMBER 2007**

**SOLES**

**DAVID E. JOHNSON ARCHITECT \$100. APPROVED – 12/19/07**

**GAYLEN HOWARD LAING, ARCHIECT \$100. APPROVED – 12/19/07**

**DWAYNE A. MANN \$100. APPROVED – 12/19/07**

**SHADE LAWRENCE O'QUINN - 0 - APPROVED – 12/19/07**

**VAL PREVEDINI - 0 - APPROVED – 12/19/07**

**LIMITED LIABILITY COMPANIES**

**ROBERT A. CARDELLO ARCHITECTS,  
LLC \$100. APPROVED–PENDING RECEIPT OF \$100 12/19/07**

**OUTERBRIDGE HORSEY ASSOCIATES, PLLC \$100. APPROVED –  
12/19/07**

**STUDIO RIOS, LLC - 0 - APPROVED – 12/19/07**

## **CORPORATIONS**

**ARROWSTREET, INC. - 0 - APPROVED – 12/19/07**  
**A-14,020 - Add one resp control: George T. Tremblay**

**BEERY RIO, INC. \$100. APPROVED – 12/19/07**

**CARPENTER SELLERS ASSOCIATES \$100. APPROVED – 12/19/07**

**FALCON ASSOCIATES ARCHITECTS INC. - 0 - APPROVED – 12/19/07**

**FLAD & ASSOCIATES, INC. \$100. APPROVED – 12/19/07**

**PETERMAN ARCHITECTURAL SERVICES, INC. \$100. APPROVED –  
12/19/07**

**SOLOMON CORDWELL BUENZ & ASSOC. INC. \$100. APPROVED –  
12/19/07**

**TOLL ARCHITECTURE I, P.A. \$100. APPROVED – 12/19/07**

**REQUEST TO WITHDRAW**

**GAYLEN H. LAING ARCHITECT, INC. APPROVED – 12/19/07**

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